

MINUTES

REGULAR PLANNING COMMISSION MEETING

FEBRUARY 20, 2001

A regular meeting of the Planning Commission of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Hall Council Chambers, 4045 Palos Verdes Drive North, by Vice-Chairman Goyette.

2. PLEDGE OF ALLEGIANCE

VICE-CHAIRMAN GOYETTE led the assembly in the Pledge of Allegiance to the Flag.

3. ROLL CALL

Commissioners Present: Conway, Zerunyan, Goyette, Bayer, Vullo, Somers

Commissioners Absent: None

Staff Present: Planning Director Orci

4. APPROVAL OF MINUTES

COMMISSIONER VULLO moved, seconded by COMMISSIONER BAYER,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF JANUARY 16, 2001.

There being no objection, VICE-CHAIRMAN GOYETTE so ordered.

4. REORGANIZATION OF PLANNING COMMISSION.

A plaque was presented to outgoing CHAIRMAN CONWAY and he was thanked for all his hard work. CHAIRMAN GOYETTE was welcomed as the new Chairman.

5. AUDIENCE ITEMS

None.

6. CONSENT CALENDAR

None.

7. BUSINESS ITEMS

None.

8. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 46-99; APPLICANT: Chandlers Sand & Gravel;
LOCATION: 26311 Palos Verdes Drive East; Consideration of Conditional Use Permit

revocation or modification due to conditions that have not been complied with that pose an immediate threat to the public health, safety, and welfare.

Planning Director Orci summarized the Staff Report (as per written material).

In response to a question from COMMISSIONER CONWAY, Director Orci explained that the amount of liquidated damages (\$250/per day) was not addressed.

Mr. John Robertson, Vice-President and General Manager of Chandlers introduced Mr. Brad Cooley of GeoSyntec Consultants. Mr. Cooley presented a slide presentation which illustrated the events leading to the need for modifications to the Conditional Use Permit. He said that all of the suggested modifications were implemented as of Spring, 2000. He explained that 70% of the business came from commercial/industrial fills, and that Chandler has established checking provisions for loads over 750 cubic yards. The checking protocol includes on and off-site testing of loads.

In response to a question from COMMISSIONER VULLO, Mr. Cooley explained that a total of 12 tests would be required per year.

In response to a question from COMMISSIONER CONWAY, Mr. Cooley explained that trucks receive two visual inspections landfill (by OSHA trained personnel), one when put on the scale and another when dumped on the "deck" at the landfill. He said that driver's licenses for each driver are scanned, the information is added to the Chandler database, and each driver is given a "sticker number." The computer keeps a history of the driver and material.

Mr. Robertson explained that most of the drivers are "repeat business" and any suspicious materials are turned away.

In response to a question from COMMISSIONER SOMERS, Director Orci stated that staff suggests that the testing procedures be evaluated after five consecutive years.

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOMERS to,

OPEN THE PUBLIC HEARING.

AYES: Conway, Zerunyan, Goyette, Bayer, Vullo, Somers

NOES: None

Dr. Richard Jenkins of Jenkins Environmental Services, the City's environmental consultant, came forward to answer any questions from the Planning Commission.

In response to questions from COMMISSIONER CONWAY, Dr. Jenkins stated that he was comfortable with the testing procedures now, and that Chandler's testing was more stringent than the industry standard, but with increased scrutiny of landfills, other landfills will likely be required to follow these testing procedures in the future. He said that these the procedures were included by the State in its WDR provisions. He added that the proposed testing protocol will test for a full range of metals and chemicals in accordance with State standards.

In response to a questions from CHAIRMAN GOYETTE and COMMISSIONERS

BAYER, ZERUNYAN, VULLO, and SOMERS, Dr. Jenkins said that he was comfortable with Chandler's testing procedures now, and that they meet or exceed industry standards. He said that there is never a guarantee that non-permitted material will ever be placed at the landfill, but that the likelihood has been greatly reduced that there will be problems.

Mike Russo, #9 Bridlewood Circle, stated that he was happy to see the length of questioning by the Planning Commission and that he felt comfortable with the modifications. He asked about the training of the inspectors, and added that he felt that the amount of liquidated damages were very low, and pointed out a section in the June 5, 2000, Planning Commission minutes where this was discussed.

In response to a question from COMMISSIONER CONWAY, Dr. Jenkins said the off-site and on-site testing will be conducted under the direction of a licensed Engineer. He said the on-site testing material will be isolated behind a berm and covered in plastic until the results of testing are completed.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER VULLO to,
CLOSE THE PUBLIC HEARING.

There was much discussion regarding the liquidated damages being very low when compared to today's standards. The Planning Commission agreed to double the liquidated damage amount up to \$500 per day.

COMMISSIONER CONWAY suggested that when the number of tests are determined, that the figure for on-site tests should be "rounded up" to the next highest numeral. For example, if 15% of the loads are unannounced commercial soil, than there should be two on-site tests done instead of one test.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER SOMERS,
TO DIRECT STAFF TO PREPARE AMENDMENTS TO RESOLUTION NO. 1569 (CUP-104-88) AS OUTLINED IN THE STAFF REPORT AND TO ADD THE FOLLOWING: 1) THAT WHEN THE NUMBER OF TESTS ARE DETERMINED, THAT THE FIGURE FOR ON-SITE TESTS SHOULD BE "ROUNDED UP" TO THE NEXT HIGHEST NUMERAL; AND 2) THAT THE CUP BE REVIEWED IN FIVE YEARS; AND 3) THE AMENDED RESOLUTION BE BROUGHT BACK TO THE PLANNING COMMISSION AT THE MEETING OF MARCH 5, 2001.

AYES: Conway, Zerunyan, Goyette, Vullo, Somers, Bayer

NOES: None

COMMISSIONER SOMERS moved, seconded by COMMISSIONER CONWAY,
TO ADD THAT THE AMOUNT OF LIQUIDATED DAMAGES BE INCREASED FROM \$250/DAY TO \$500/DAY.

AYES: Conway, Zerunyan, Goyette, Vullo, Somers

NOES: Bayer

9. COMMISSION ITEMS

In response to a request from COMMISSONER CONWAY, Director Orci updated the Planning Commission on the status of Metropolitan Development.

10. UPCOMING PLANNING COMMISSION ITEMS (MEETING OF March 5, 2001).

- A. Housing Element Update.
- B. Adult Businesses.

11. DIRECTOR'S ITEMS

- A. Policy Development Items.

Director Orci informed the Planning Commission that the Chairmans of the Planning Commission and the Park and Activities Commissions and all department heads would be meeting with the City Council to discuss issues of policy development.

12. MATTERS OF INFORMATION

- A. PARK AND ACTIVITIES MINUTES (January 16, 2001).
- B. PARK AND ACTIVITIES MINUTES (February 6, 2001).
- C. CITY COUNCIL ACTIONS (January 23, 2001).
- D. CITY COUNCIL ACTIONS (February 13, 2001).

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,
TO RECEIVE AND FILE ITEMS 12.A, B, C AND D.

There being no objection, CHAIRMAN GOYETTE so ordered.

13. ADJOURNMENT

At 9:14 p.m. CHAIRMAN GOYETTE adjourned the Planning Commission meeting to March 5, 2001, at 7:30 p.m.

Hollis Jackson Douglas R. Prichard

Minutes Secretary City Clerk